

**SUPREME COURT MINUTES
MONDAY, AUGUST 2, 2010
SAN FRANCISCO, CALIFORNIA**

S083904**PEOPLE v. VERDUGO
(NATHAN JAMES)**

Opinion filed: Judgment affirmed in full

Majority Opinion by Kennard, J.

-- joined by George C. J., Baxter, Werdegarr, Chin, and Corrigan, JJ.

Concurring Opinion by Moreno, J.

S152934 A107803 First Appellate District, Div. 4**CORAL CONSTRUCTION,
INC. v. CITY & COUNTY OF
SAN FRANCISCO**

Opinion filed: Judgment affirmed in full

Majority Opinion by Werdegarr, J.

-- joined by George, C. J., Kennard, Baxter, Chin, and Corrigan, JJ.

Concurring Opinion by Corrigan, J.

Concurring and Dissenting Opinion by Moreno, J.

S165906 B204354 Second Appellate District, Div. 5**HAWORTH (RANDAL D.) v.
S.C. (OSSAKOW)**

Opinion filed: Judgment reversed

Majority Opinion by George, C. J.

-- joined by Kennard, Baxter, Chin, and Corrigan, JJ.

Dissenting Opinion by Werdegarr, J.

-- joined by Moreno, J.

S057156**PEOPLE v. CASE (CHARLES
EDWARD)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Robin Kallman's representation that she anticipates filing the appellant's opening brief by December 10, 2010, counsel's request for an extension of time in which to file that brief is granted to October 1, 2010. After that date, only one further extension totaling about 70 additional days is contemplated.

S065233**PEOPLE v. SMITH (FLOYD DANIEL)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing the appellant's reply brief by June 1, 2011, counsel's request for an extension of time in which to file that brief is granted to October 1, 2010. After that date, only four further extensions totaling about 240 additional days are contemplated.

S077009**PEOPLE v. CARRASCO (ROBERT)**

Extension of time granted

Good cause appearing, and based upon counsel Robert R. Bryan's representation that he anticipates filing the appellant's reply brief by August 5, 2010, counsel's request for an extension of time in which to file that brief is granted to August 5, 2010. After that date, no further extension will be granted.

S077033**PEOPLE v. DUENAS (ENRIQUE PARRA)**

Extension of time granted

Good cause appearing, and based upon counsel Ronald Turner's representation that he anticipates filing the appellant's reply brief by November 15, 2010, counsel's request for an extension of time in which to file that brief is granted to October 1, 2010. After that date, only one further extension totaling about 45 additional days is contemplated.

S080054**PEOPLE v. LINTON (DANIEL ANDREW)**

Extension of time granted

Good cause appearing, and based upon counsel Diane E. Berley's representation that she anticipates filing the appellant's reply brief by December 15, 2010, counsel's request for an extension of time in which to file that brief is granted to September 21, 2010. After that date, only two further extensions totaling about 90 additional days are contemplated.

S081918**PEOPLE v. McKINZIE (KENNETH)**

Extension of time granted

Good cause appearing, and based upon counsel Gregory L. Cannon's representation that he anticipates filing the appellant's reply brief by April 1, 2011, counsel's request for an extension of time in which to file that brief is granted to September 17, 2010. After that date, only four further extensions totaling about 195 additional days are contemplated.

S087773**PEOPLE v. GOMEZ (RUBEN PEREZ)**

Extension of time granted

Good cause appearing, and based upon counsel Lynne S. Coffin's representation that she anticipates filing the appellant's opening brief by February 2011, counsel's request for an extension of time in which to file that brief is granted to September 24, 2010. After that date, only three further extensions totaling about 150 additional days are contemplated.

S089311**PEOPLE v. HENRIQUEZ (CHRISTOPHER)**

Extension of time granted

Good cause appearing, and based upon counsel Lynne S. Coffin's representation that she anticipates filing the appellant's reply brief by September 25, 2010, counsel's request for an extension of time in which to file that brief is granted to September 27, 2010. After that date, no further extension is contemplated.

S091898**PEOPLE v. RUBIO (GILBERT RAUL)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Andrew S. Love's representation that he anticipates filing the appellant's opening brief by November 2011, counsel's request for an extension of time in which to file that brief is granted to October 1, 2010. After that date, only seven further extensions totaling about 400 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S099770**PEOPLE v. COOPER (LEON CHAUNCEY)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Karen Hamilton's representation that she anticipates filing the appellant's opening brief by September 1, 2010, counsel's request for an extension of time in which to file that brief is granted to September 1, 2010. After that date, no further extension is contemplated.

S111336**BENAVIDES FIGUEROA
(VICENTE) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Kelly E. Lebel's representation that she anticipates filing the informal response to the corrected amended petition for writ of habeas corpus by August 6, 2010, counsel's request for an extension of time in which to file that document is granted to August 6, 2010. After that date, no further extension is contemplated.

S118629**PEOPLE v. WILLIAMS, JR.,
(ROBERT LEE)**

Extension of time granted

Appellant's request for relief from default is granted.

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 7, 2010.

S124131**PEOPLE v. BARRETT
(JOSEPH ANTHONY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 1, 2010.

S130263**GAY (KENNETH EARL) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Gary D. Sowards's representation that he anticipates filing the traverse to return to petition for writ of habeas corpus by October 1, 2010, counsel's request for an extension of time in which to file that brief is granted to October 1, 2010. After that date, no further extension will be granted.

S139789**HARRIS (MAURICE
LYDELL) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Jeannie R. Sternberg's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by April 28, 2011, counsel's request for an extension of time in which to file that document is granted to September 27, 2010. After that date, only four further extensions totaling about 210 additional days are contemplated.

S140140**ELLIOT (MICHAEL LEE) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel James M. Crawford's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by May 28, 2011, counsel's request for an extension of time in which to file that document is granted to September 24, 2010. After that date, only four further extensions totaling about 240 additional days are contemplated.

S141519**PEOPLE v. HIN (MAO)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 8, 2010.

S151362**BELL (STEVEN M.) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Miro F. Cizin's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by September 28, 2010, counsel's request for an extension of time in which to file that document is granted to September 28, 2010. After that date, no further extension is contemplated.

S160915**COOK (JOSEPH LLOYD) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Sara Theiss's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by January 15, 2011, counsel's request for an extension of time in which to file that document is granted to September 24, 2010. After that date, only two further extensions totaling about 110 additional days are contemplated.

S171312**RAMIREZ (RICHARD M.) ON
H.C.**

Extension of time granted

Petitioner's request for relief from default is granted.

Good cause appearing, and based upon Deputy Federal Public Defender Statia Peakheart's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by October 27, 2010, counsel's request for an extension of time in which to file that document is granted to September 20, 2010. After that date, only one further extension totaling about 40 additional days is contemplated.

S176494**JENKINS (DANIEL STEVEN)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Marc A. Kohm's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by September 21, 2010, counsel's request for an extension of time in which to file that document is granted to September 21, 2010. After that date, no further extension is contemplated.

S177597**KHACHATRYAN (SPARTAK)
ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to August 31, 2010.

S178429**REED (JOHN) ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the Informal Response is extended to August 16, 2010.

S179042**RUSH (ROBERT D.) ON H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the petitioner's reply to informal response is extended to August 2, 2010.

S179115

D053620 Fourth Appellate District, Div. 1

**HOWELL (REBECCA) v.
HAMILTON MEATS &
PROVISIONS, INC.**

Extension of time granted

Appellant's application for an extension of time to file appellant's response to amici curiae briefs is hereby granted. Appellant's response to amicus curiae brief filed by The California Medical Association et al., and to any other amici curiae briefs is due on or before September 15, 2010.

S180181

E046742 Fourth Appellate District, Div. 2

**PEOPLE v. MURPHY
(MELISSA KAY)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to August 28, 2010.

S182508 A123726 First Appellate District, Div. 4**SEABRIGHT INSURANCE
COMPANY v. U.S. AIRWAYS,
INC. (LUJAN)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to September 15, 2010.

S182625**BENSON (JANE) ON H.C.**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the informal reply is extended to August 25, 2010.

S183337**DANIELS (JEFFREY) ON
H.C.**

Extension of time granted

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the informal response is extended to August 26, 2010.

S183405**WILLIAMS, JR., (BOB
RUSSELL) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Craig S. Meyers's representation that he anticipates filing the informal response by November 10, 2010, counsel's request for an extension of time in which to file that document is granted to October 12, 2010. After that date, only one further extension totaling about 30 additional days is contemplated.

S066940**PEOPLE v. CLARK
(WILLIAM CLINTON)**

Order filed

Good cause appearing, respondent's "Application for Leave to File Supplemental Brief that Exceeds the Word Limit" is granted.

S179115 D053620 Fourth Appellate District, Div. 1**HOWELL (REBECCA) v.
HAMILTON MEATS &
PROVISIONS, INC.**

Order filed

The application of respondent for permission to file an over length reply brief on the merits is granted.

S183411 C061011 Third Appellate District

C061009 Third Appellate District

C061020 Third Appellate District

**PROFESSIONAL
ENGINEERS IN
CALIFORNIA
GOVERNMENT v.
SCHWARZENEGGER
(ARNOLD)/(CHIANG)
CALIFORNIA ATTORNEYS
v. SCHWARZENEGGER
(ARNOLD)/(CHIANG)
SERVICE EMPLOYEES
INTERNATIONAL UNION,
LOCAL 1000 v.
SCHWARZENEGGER
(ARNOLD)/(CHIANG)**

Order filed

For purposes of oral argument, Professional Engineers in California Government, California Attorneys and Service Employees International Union, Local 1000, are deemed petitioners.

S184873 C060135 Third Appellate District

Order filed

The time for granting review on the court's own motion is hereby extended to October 5, 2010. (Cal. Rules of Court, rule 8.512 (c).)

PEOPLE v. WEBER (JOSEPH)

B221658 Second Appellate District, Div. 5

**SUTHIPRASERT (PRASONG)
v. ING BANK, FSB**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Five to Division Seven.

B225058 Second Appellate District, Div. 7

**CALIFORNIA WATER
SERVICE COMPANY v. CITY
OF COMPTON**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Seven to Division Five.

1013478-10

THE HONORABLE WILLIAM F. RYLAARSDAM, Associate Justice of the Court of Appeal, Fourth Appellate District, Division Three, is hereby assigned to assist the Supreme Court, as a justice thereof, on August 2, 2010, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

Dated: August 2, 2010

**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN FRANCISCO SESSION
SEPTEMBER 7 and 8, 2010**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on September 7 and 8, 2010.

TUESDAY, SEPTEMBER 7, 2010 — 1:00 P.M.

1. S153852 Ameron International Corp. v. Insurance Co. of the State of Pennsylvania and consolidated case (*Corrigan, J., not participating; Rubin, J., assigned justice pro tempore*)
2. S176983 People v. Engram (Terrion Marcus)
3. S176171 Kling v. Superior Court of Ventura County; People, Real Party in Interest
4. S172589 Lopez v. Superior Court of San Bernardino County; People, Real Party in Interest

WEDNESDAY, SEPTEMBER 8, 2010 — 9:00 A.M.

5. S183411 Professional Engineers in California Government et al. v. Schwarzenegger
6. S181760 St. John's Well Child and Family Center et al. v. Schwarzenegger
- 7.

1:30 P.M.

8. S175242 In re Jenkins (Harvey Zane) on Habeas Corpus
9. S079179 People v. Bacon (Robert Allen) [Automatic Appeal]
10. S075875 People v. Russell (Timothy) [Automatic Appeal]
- 11.

GEORGE
Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)

